

posited with the depository selected by the board of the junior college district, such selection being based on competitive bids of interest payment of daily balances.

Section 11. The board of trustees of the junior college shall have the authority to select a president, dean, or other administrative officer, and on his recommendation, the faculty and other employees of such college, and to fix the compensation and manner of payment of such administrative head, faculty and employees. The said board of trustees shall authorize and adopt such courses of study as may be limited to the first two years of standard college work. The board shall also have the power to fix and collect fees for matriculation, and laboratory, gymnasium, and tuition and for other purposes; and shall have the power to make payment by warrant for any expenses incurred in the support, maintenance, and operation of such junior college.

Section 12. No funds received for school purposes from the State Available Fund shall be used for the establishment, support, and maintenance of a junior college, and no state funds shall be used for such purposes unless specifically appropriated therefor by the Legislature.

Section 13. The members of the board of trustees of the junior college shall receive no compensation for their services, but shall be reimbursed out of the maintenance funds of the junior-college district for all legitimate expenses incurred by them in the transaction of their official duties, provided the expense of each member shall not exceed \$5.00 per day or \$60.00 per year.

Section 14. Any municipal junior college now organized and conducted in the State of Texas, and recognized as standard by the State Department of Education, is hereby validated. Such junior college may, however, by action of its board of trustees, choose to be governed by the provisions of this Act at any time in the future that it may desire to do so.

Section 15. Should the courts declare any section or provision of this Act unconstitutional, such action shall affect only the section or provision declared unconstitutional, and shall not affect any other provision or section of this Act.

Section 16. All laws, and parts of

laws, special and general, in conflict herewith, are hereby specifically repealed insofar as they apply to the subject matter of this Act.

Section 17. The fact that there is now no law on the statutes authorizing the creation of junior colleges, and the further fact that it will be necessary before the taxes for the year 1927 can be collected for the use of a junior college, that such taxes be assessed prior to making up the tax roll for the said year, creates an emergency and an imperative public necessity requiring that the constitutional rule providing that bills shall be read on three several days shall be suspended, and said rule is hereby suspended, and this Act shall be in force from and after its passage, and it is so ordered.

EIGHTEENTH DAY.

Senate Chamber,
Austin, Texas,

Tuesday, February 8, 1927.

The Senate met at 10 o'clock a. m. pursuant to adjournment, and was called to order by Lieutenant Governor Barry Miller.

The roll was called, a quorum being present, the following Senators answering to their names:

Bailey.	Parr.
Berkeley.	Pollard.
Bledsoe.	Price.
Bowers.	Real.
Fairchild.	Reid.
Floyd.	Russek.
Greer.	Smith.
Hall.	Stuart.
Hardin.	Triplett.
Holbrook.	Ward.
Lewis.	Westbrook.
Love.	Wirtz.
McFarlane.	Witt.
Moore.	Wood.
Neal.	Woodward.

Absent.

Miller.

Prayer by the chaplain.

Pending the reading of the Journal of yesterday, the same was dispensed with on motion of Senator Woodward.

Petitions and Memorials.

(See Appendix.)

Committee Reports.

(See Appendix.)

Bills and Resolutions.

By Senator Hall:

S. B. No. 304, A bill to be entitled "An Act to authorize the creation of corporations in this State under the General Corporation Laws for the purpose of owning, raising, selling and leasing animals used in circuses, menageries and zoos, and to buy, lease, own, build, construct, repair and sell wagons, chariots, harnesses, cages and other equipments necessary to and used in the operation of raising and handling animals used in circuses, menageries and zoos, and to own and lease buildings and lands necessary for the raising of such animals and the manufacture of such equipments, and declaring an emergency."

Read first time and referred to Committee on State Affairs.

By Senator Fairchild:

S. B. No. 305, A bill to be entitled "An Act providing for the erection of a building located in the City of Austin with rooms for the use of members of the Legislature for living quarters and offices, and also for offices and space for the courts, departments, officers and employees of the State Government; and declaring an emergency."

Read first time and referred to Committee on Public Buildings and Grounds.

By Senator Love:

S. B. No. 306, A bill to be entitled "An Act to regulate, control and limit the effect to be given all laws and rules of court procedure applying to the trial or appeal of any cause pending in any court of Texas, civil or criminal, and declaring an emergency."

Read first time and referred to Committee on Civil Jurisprudence.

By Senator Bailey:

S. B. No. 307, A bill to be entitled "An Act to extend the time within which, and prescribe conditions upon which, domestic and foreign corporations which have defaulted in the payment of franchise taxes, penalties and interest may pay the same and have their right to do business revived, by extending until the first day of September, A. D. 1927, the time during which all corporations of this kind may pay to the Secretary of State such franchise tax pen-

alties and interest and have their right to do business revived, etc., and declaring an emergency."

Read first time and referred to Committee on Civil Jurisprudence.

By Senator Price:

S. B. No. 308, A bill to be entitled "An Act to amend Article 1898 of the Revised Civil Statutes relating to the appointment of deputies by district clerks, the purpose of the amendment being to provide that deputy district clerks shall take the official oath; to prescribe the manner in which they shall act and to define their powers."

Read first time and referred to Committee on Civil Jurisprudence.

By Senator McFarlane:

S. B. No. 309, A bill to be entitled "An Act to amend Article 4676 of Title 77 of the Revised Civil Statutes of 1925, and declaring an emergency."

Read first time and referred to Committee on Civil Jurisprudence.

By Senator McFarlane:

S. B. No. 310, A bill to be entitled "An Act to amend Article 2494 of the Revised Civil Statutes of 1925, and declaring an emergency."

Read first time and referred to Committee on Civil Jurisprudence.

By Senator Price:

S. B. No. 311, A bill to be entitled "An Act to repeal sub-division 1, Article 3883, Chapter 1, Title 61, of the Revised Civil Statutes of 1925, and to amend Article 3900, Chapter 1, Title 61, of the Revised Civil Statutes of 1925, so as to provide that certain officers in counties having a population of twenty-five thousand, or less, inhabitants, according to the last preceding United States Census, shall be exempt from the provisions of Article 3891, 3896 and 3897, Chapter 1, Title 61, of the Revised Civil Statutes of 1925; and declaring an emergency."

Read first time and referred to Committee on State Affairs.

S. J. R. No. 24, A joint resolution "Proposing an amendment to the Constitution of the State of Texas providing for a Supreme Court consisting of a chief justice and not less than eight associate justices, one Court of Criminal Appeals consisting of a presiding judge and not less than

two associate judges, and altering the provisions of Article V of the State Constitution so as to more adequately provide for a judicial department of the State Government."

Read first time and referred to Committee on Constitutional Amendments.

By Senator Westbrook:

S. B. No. 312, A bill to be entitled "An Act amending Article 6701, Revised Statutes, 1925, Section 1 to 28 passed at the Regular Session of the Thirty-ninth Legislature by adding a new Article to be entitled Article 6701-A, etc., and declaring an emergency."

Read first time and referred to Committee on State Highway and Motor Traffic.

S. C. R. No. 14.

Senator Woodward sent up the following resolution:

By Senator Woodward:

Be it resolved by the Senate, the House of Representatives concurring, that Senate Bill No. 17 now in the hands of the Governor, be recalled from the Governor for correction.

The resolution was read and adopted.

Invitations from the Texas School for the Blind.

Senator Love introduced Miss Mitchell, of the Texas School for the Blind, who extended to the Senate an invitation to visit the School February 15th, 1927.

On the motion of Senator Wood the invitation was accepted.

Senate Bills No. 270 and 271.

On the motion of Senator Holbrook Senate Bills No. 270 and 271 were withdrawn from the Committee on Towns and City Corporations and referred to the Committee on Internal Improvements.

Simple Resolution No. 51.

Senator Woodward sent up the following resolution:

Resolved, that Senate Concurrent Resolution No. 14 be recalled from the House.

The resolution was read and adopted.

Message from the House.

The Chair recognized the door-keeper who introduced a Messenger from the House with the following message:

Hall of the House of Representatives, Austin, Texas, February 8, 1927.

Hon. Barry Miller, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bill:

H. B. No. 240, A bill to be entitled "An Act repealing House Bill No. 377 passed by the First Called Session of the Thirty-ninth Legislature of Texas, creating the Lockney Independent School District in Floyd County, Texas, including therein the Lockney Independent School District as it then existed and the following common school district in said county as they and each of them then existed: Irick No. 1, Pleasant Valley No. 2, Munsey No. 3, Aiken No. 7, Roseland No. 17, Prairie Chapel No. 25 and Ramsey No. 27; providing therein for a board of directors thereof; vesting the said independent district board of trustees with all the rights, powers, privileges and duties conferred upon independent school districts incorporated under the General Laws of Texas; fixing the term of office of such trustees; restoring to the several districts as consolidated in such bill the original status, and declaring an emergency."

Respectfully submitted,

M. LOUISE SNOW,

Chief Clerk House of Representatives.

Senate Bill No. 228.

The Chair laid before the Senate as pending business the following bill:

S. B. No. 228, A bill to be entitled "An Act to control the flood waters of the Trinity River; declaring that a great public calamity exists in the Trinity River Valley that requires immediate legislation for the prevention of the loss of lives and property in said county; providing for the voting and authorization of bonds for retarding and controlling the flood waters of the Trinity River; providing a method by which Tarrant County Water Control and Improvement District No. 1 may cooperate with the State of Texas in the con-

struction of flood storage and retarding basins by which and through which the flood waters of the Trinity River will be controlled or retarded, etc., and declaring an emergency."

The bill was read second time.

Recess.

On the motion of Senator Floyd the Senate at 12:05 p. m. recessed until this afternoon at 2:00 o'clock p. m.

After Recess.

The Senate was called to order at 2:00 p. m. by Lieutenant Governor Miller, pursuant to recess.

House Bill Referred.

After its caption was read the Chair referred H. B. No. 240 to the Committee on Education.

Senate Bill No. 228.

The question recurred upon the engrossment of S. B. No. 228.

Senator McFarlane sent up the following amendment:

To amend Senate Bill No. 228 by striking out Tarrant, Wise, Parker and Wise Counties wherever they appear and insert in lieu thereof the following:

"The Counties of Starr, Tarrant, Dallas, Ellis, Kaufman, Navarro, Henderson, Freestone, Anderson, Leon, Houston, Madison, Trinity, Walker, San Jacinto, Polk, Liberty, Chambers, Franklin, Morris, Bowie, Cass, Red River, Marion, Harrison, McLennan, Falls, Robertson, Brazos, Burleson, Grimes, Washington, Waller, Fort Bend.

Red River.

Wilbarger, Wichita, Clay, Montague, Cooke, Grayson, Fannin, Lamar, Red River, Bowie.

Sulphur River.

Hopkins, Franklin, Morris, Cass.

Sabine River.

Hunt, Rains, Van Zandt, Wood, Smith, Upshur, Gregg, Rusk, Panola, Shelby, Sabine, Newton, Orange.

Angelina and Neches Rivers.

Angelina, San Augustine, Tyler, Jasper, Hardin, Jefferson.

Pecos River.

Reeves, Loving, Ward, Pecos, Crane, Upton, Terrell, Val Verde, Kinney, Maverick, Webb, Zapata, Brazoria, Colorado, Fayette, Orange and Jefferson.

Senator Bailey made the point of order that the amendment was not germane to the bill.

The Chair sustained the point of order.

On the motion of Senator Wood the previous question was ordered.

The bill was ordered engrossed by the following vote:

Yeas—19.

Bailey.	Parr.
Berkeley.	Rcal.
Bowers.	Reid.
Greer.	Russek.
Hall.	Stuart.
Hardin.	Triplett.
Holbrook.	Ward.
Love.	Witt.
Moore.	Wood.
Neal.	

Nays—5.

McFarlane.	Wirtz.
Price.	Woodward.
Smith.	

Absent.

Bledsoe.	Westbrook.
Fairchild.	

(Two Pairs.)

Senator Pollard (present), who would vote nay with Senator Lewis (absent), who would vote yea.

Senator Floyd, (present), who would vote nay with Senator Miller (absent), who would vote yea.

Senator Price made the point of order that the bill was not passed to engrossment, because two thirds of the members elected to the Senate did not vote for the bill.

The Chair (Lieutenant Governor Miller) over-ruled the point of order and held that a two-thirds vote was not required to pass the bill to engrossment.

On motion of Senator Stuart, the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 228 was put on its third reading and final passage, by the following vote:

Yeas—25.

Bailey.	Price.
Berkeley.	Real.
Bowers.	Reid.
Floyd.	Russek.
Greer.	Smith.
Hall.	Stuart.
Hardin.	Triplett.
Holbrook.	Ward.
Love.	Wirtz.
Moore.	Witt.
Neal.	Wood.
Parr.	Woodward.
Pollard.	

Nays—1.

McFarlane.

Absent.

Bledsoe.	Miller.
Fairchild.	Westbrook.
Lewis.	

The bill was read third time and passed finally, by the following vote:

Yeas—20.

Bailey.	Neal.
Berkeley.	Parr.
Bledsoe.	Real.
Bowers.	Reid.
Greer.	Russek.
Hall.	Stuart.
Hardin.	Triplett.
Holbrook.	Ward.
Love.	Witt.
Moore.	Wood.

Nays—8.

Floyd.	Smith.
McFarlane.	Westbrook.
Pollard.	Wirtz.
Price.	Woodward.

Absent.

Fairchild.	Miller.
Lewis.	

Senate Bill No. 107.

Senator Bailey received unanimous consent to take up the following bill:

S. B. No. 107, A bill to be entitled "An Act granting authority for construction and maintenance of salt water hatcheries and propagation farms for fish, oysters and game, or either of same, and for the establishing and maintenance of public hunting grounds, on State owned islands in coastal waters of the Gulf of Mexico touching this State; providing for

the cost and expense of same, and declaring an emergency."

The bill was read second time and laid on the table subject to call.

Senate Bill No. 229.

The Chair laid before the Senate on the calendar the following bill:

S. B. No. 229, A bill to be entitled "An Act releasing the inhabitants of, and property subject to taxation for levee improvements in City and County of Dallas Levee Improvement District and Dallas County Levee Improvement District Number 5, for a period of twenty-five (25) years from the payment of ad valorem taxes levied for State purposes, because of great public calamities in said levee districts caused by waters and calamitous overflows, as provided in Section 10, of Article 8, of the State Constitution, etc., and declaring an emergency."

The bill was read second time.

Amendment No. 1, S. B. No. 229.

Senator Love sent up the following amendment:

Amend Senate Bill No. 229 by striking out the word "one" in the printed bill in line 8 on page 2, and inserting in lieu thereof the word "own."

Also by striking out the figures "1927" in line 32 on page 3 and inserting in lieu thereof the figures "1928."

And by striking out in line 10 on page 4 the figures "1927" and inserting in lieu thereof the figures "1928."

And by striking out in line 17 on page 4 the figures "1927" and inserting in lieu thereof the figures "1928."

And by inserting in line 3 on page 5 the word "days" before the words "be suspended."

The amendment was read and adopted.

The bill was passed to engrossment.

On motion of Senator Love, the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 229 was put on its third reading and final passage, by the following vote:

Yeas—27.

Bailey.	Pollard.
Berkeley.	Price.
Bledsoe.	Real.
Bowers.	Reid.
Fairchild.	Russek.
Floyd.	Smith.
Greer.	Stuart.
Hall.	Triplett.
Hardin.	Ward.
Holbrook.	Wirtz.
Love.	Witt.
Moore.	Wood.
Neal.	Woodward.
Parr.	

Nays—1.

Westbrook.

Absent.

Lewis.	Miller.
McFarlane.	

The bill was read third time and passed finally, by the following vote:

Yeas—20.

Bailey.	Neal.
Berkeley.	Parr.
Bledsoe.	Real.
Bowers.	Reid.
Greer.	Russek.
Hall.	Stuart.
Hardin.	Triplett.
Holbrook.	Ward.
Love.	Witt.
Moore.	Wood.

Nays—8.

Floyd.	Smith.
McFarlane.	Westbrook.
Pollard.	Wirtz.
Price.	

Absent.

Fairchild.	Miller.
Lewis.	Woodward.

Senate Bill No. 259.

The Chair laid before the Senate on the calendar the following bill:

S. B. No. 259, A bill to be entitled "An Act to aid in protection of the property and lives of the citizens of Starr County from further disastrous and calamitous overflows and conserving and increasing the State revenue derived from said county by granting and donating to Starr County, for a term of twenty-five years, or so much thereof as may be

necessary, a portion of the State ad valorem taxes levied and collected on property subject to taxation in said county, to be used in payment in part of interest and sinking fund of bonds to be issued by said county to provide for the construction of necessary protection, and declaring an emergency."

The bill was read second time and laid on the table subject to call.

Senate Bill No. 227.

Senator Holbrook received unanimous consent to take up out of its order the following bill:

S. B. No. 227, A bill to be entitled "An Act authorizing any county in this State upon a vote of two-thirds majority of the resident tax paying voters therein, in addition to all other debts, to issue bonds or warrants, or otherwise lend its credit in an amount not to exceed one-fourth of the assessed valuation of the real property of such county for the purpose of navigation and in aid thereof; providing for the holding of elections for such purpose, the returns of election; the declaration of the result; the issuance of bonds or warrants and the levy of taxes for the payment thereof; giving the right of eminent domain; the right to co-operate with the United State Government for the purposes thereof, and to transfer to the United States Government, right-of-way for navigation purposes, or in aid thereof, and declaring an emergency."

The bill was read second time.

Amendment No. 1, S. B. No. 227.

Senator Holbrook sent up the following amendment:

Amend Senate Bill No. 227 by adding after the word "right-of-way" wherever said word occurs, either in the caption or in the body of the bill, the following "and necessary dumping privileges."

The amendment was read and adopted.

Amendment No. 2, S. B. No. 227.

Senator Holbrook sent up the following amendment:

Amend Senate Bill No. 227 by adding after the word "of" on page 1, Section 1, line 21, the letter "a"; and striking out in line 22, page 1, Section 1, after the word "resident,"

the words "tax paying voters," substituting in lieu thereof after the word "resident" on page 1, Section 1, line 22, the following words "property tax payers voting thereon."

The amendment was read and adopted.

The bill was passed to engrossment.

On motion of Senator Holbrook, the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 227 was put on its third reading and final passage, by the following vote:

Yeas—29.

Bailey.	Pollard.
Berkeley.	Price.
Bledsoe.	Real.
Bowers.	Reid.
Fairchild.	Russek.
Floyd.	Smith.
Greer.	Stuart.
Hall.	Triplett.
Hardin.	Ward.
Holbrook.	Westbrook.
Love.	Wirtz.
McFarlane.	Witt.
Moore.	Wood.
Neal.	Woodward.
Parr.	

Absent.

Lewis.	Miller.
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The bill was read third time and passed finally, by the following vote:

Yeas—24.

Berkeley.	Price.
Bledsoe.	Real.
Bowers.	Reid.
Fairchild.	Russek.
Greer.	Stuart.
Hall.	Triplett.
Holbrook.	Ward.
Love.	Westbrook.
Moore.	Wirtz.
Neal.	Witt.
Parr.	Wood.
Pollard.	Woodward.

Nays—1.

McFarlane.

Absent.

Bailey.	Lewis.
Floyd.	Miller.
Hardin.	Smith.

Senate Bill No. 259.

Senator Parr called from the table S. B. No. 259.

Amendment No. 1, S. B. No. 259.

Senator Parr sent up the following amendment:

Amend Senate Bill No. 259 by inserting in the caption just before the words "and declaring an emergency" the following:

"Providing certain conditions to be complied with in connection with said matters and providing matters and things incidental to the purpose of this Act."

Amend said bill by inserting at the end of Section 2 the following words: "Provided, further, that it is an express condition of this grant that Starr County Water Control and Improvement District No. 1 will, on or before October 1, 1927, authorize the issuance of bonds of said district in an amount not less than one million dollars, voted, issued and sold as is or may be prescribed by law; the proceeds whereof shall be used for the development of an irrigation system in said district. It is further provided that said district shall, from year to year, levy a tax adequate to pay interest and create a sinking fund to retire the district bonds so issued, and to adequately maintain and operate said irrigation system."

The amendment was read.

The bill was laid on the table subject to call.

Senate Bill No. 107.

Senator Bailey called S. B. No. 170 from the table.

The bill was passed to engrossment.

On motion of Senator Bailey, the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 107 was put on its third reading and final passage, by the following vote:

Yeas—28.

Bailey.	Pollard.
Berkeley.	Price.
Bledsoe.	Real.
Bowers.	Reid.
Fairchild.	Russek.
Greer.	Smith.
Hall.	Stuart.
Hardin.	Triplett.
Holbrook.	Ward.
Love.	Westbrook.
Moore.	Wirtz.
McFarlane.	Witt.
Neal.	Wood.
Parr.	Woodward.

Absent.

Floyd. Miller.
Lewis.

The bill was read third time and passed finally, by the following vote:

Yeas—28.

Bailey.	Pollard.
Berkeley.	Price.
Bledsoe.	Real.
Bowers.	Reid.
Fairchild.	Russek.
Greer.	Smith.
Hall.	Stuart.
Hardin.	Triplett.
Holbrook.	Ward.
Love.	Westbrook.
McFarlane.	Wirtz.
Moore.	Witt.
Neal.	Wood.
Parr.	Woodward.

Absent.

Floyd. Miller.
Lewis.

Senate Bill No. 95.

On the motion of Senator Woodward S. B. No. 95 was placed upon the table subject to call by unanimous consent.

Adjournment.

At 4:40 the Senate on the motion of Senator Wirtz adjourned until Wednesday morning at 10:00 o'clock a. m.

APPENDIX.

Petitions and Memorials.

Petition from numerous citizens of Jackson County protesting a change in Texas game in relation to killing bucks with less than six points.

State of Michigan,
House of Representatives,
Lansing.

February 5, 1927.

President of the Senate, Austin, Tex.

My dear Sir: By direction of the Michigan Legislature, I am herewith sending a copy of a resolution adopted by the Legislature yesterday, February 4.

Respectfully,
C. S. PRICE.

H. C. R. No. 10.

Mr. Wardell offered the following concurrent resolution:

A concurrent resolution urging Congress to reapportion the National House of Representatives.

Whereas, the constitution of the United States requires Congress to reapportion the seats in the House of Representatives to the various states, according to their respective numbers, following each decennial census, and

Whereas, the Congress prior to 1920, has invariably complied with the constitutional provisions covering this subject, so that the next succeeding Congress might rightfully be represented in numbers, based upon the population of the several states; and

Whereas, each succeeding Congress has, since the year 1920, failed to make such reapportionment of districts, which failure has resulted in the disfranchisement of a large number of citizens in many of the states, among which is the State of Michigan, and has brought about a condition of disproportionate representation in the House of Representatives; and

Whereas, this has resulted in accumulative discontent among the citizens of the states so discriminated against; now therefore be it

Resolved, by the House of Representatives (the Senate concurring), that we, the representatives of the people of Michigan, assambled in regular session, do most earnestly urge the immediate performance of this duty; and be it further

Resolved, that a copy of this resolution be forwarded to the Honorable Calvin Coolidge, President of the United States, and to the Honorable Nicholas Longworth, Speaker of the House of Representatives, and to Hon. John Q. Tilson, Hon. Edward W. Pou, Hon. John M. Garner, Hon. Albert Johnson and Hon. Isaac Bacharach; and be it further

Resolved, that copies of this resolution shall also be forwarded to the following Legislatures of the several states now in session, urging them to take similar action: California, Ohio, New Jersey, Connecticut, North Carolina, Texas and Washington.

Read and referred to Committee on Federal Relations.

Committee on Engrossed Bills.

Committee Room,
Austin, Texas, February 7, 1927.
Hon. Barry Miller, President of the
Senate.

Sir: We, your Committee on
Engrossed Bills have had S. B. No.
141 carefully examined and compared
and find the same correctly en-
grossed.

WESTBROOK, Chairman.

Committee Reports.

Committee Room,
Austin, Texas, February 7, 1927.
Hon. Barry Miller, President of the
Senate.

Sir: We, your Committee on
Civil Jurisprudence, to whom was re-
ferred

H. B. No. 29, A bill to be entitled
"An Act to amend Article 1903 of
Chapter 2, Title 40 of the Revised
Civil Statutes of 1925, and declaring
an emergency."

Have had the same under con-
sideration and I am instructed to re-
port the same back to the Senate
with the recommendation that it do
pass.

BAILEY, Chairman.

Committee Room,
Austin, Texas, February 8, 1927.
Hon. Barry Miller, President of the
Senate.

Sir: We, your Committee on
Civil Jurisprudence, to whom was re-
ferred

H. B. No. 38, A bill to be entitled
"An Act to amend Article 3654 of
Chapter 26, Title 54 of the Revised
Civil Statutes of 1925, and declaring
an emergency."

Have had the same under consider-
ation, and I am instructed to report
the same back to the Senate with the
recommendation that it do pass.

BAILEY, Chairman.

Committee Room,
Austin, Texas, February 8, 1927.
Hon. Barry Miller, President of the
Senate.

Sir: We, your Committee on
Civil Jurisprudence, to whom was re-
ferred

H. B. No. 47, A bill to be entitled
"An Act to amend Article 6424 of
Chapter 9, Title 112, of the Revised
Civil Statutes of 1925, and declaring
an emergency."

Have had the same under consider-
ation, and I am instructed to report
the same back to the Senate with the
recommendation that it do pass.

BAILEY, Chairman.

Committee Room,
Austin, Texas, February 8, 1927.
Hon. Barry Miller, President of the
Senate.

Sir: We, your Committee on
Civil Jurisprudence, to whom was re-
ferred

H. B. No. 41, A bill to be entitled,
"An Act to amend Article 3990 of Ti-
tle 64 of the Revised Civil Statutes
of 1925, and declaring an emer-
gency."

Have had the same under consider-
ation, and I am instructed to report
the same back to the Senate with the
recommendation that it do pass.

BAILEY, Chairman.

Committee Room,
Austin, Texas, February 8, 1927.
Hon. Barry Miller, President of the
Senate.

Sir: We, your Committee on
Civil Jurisprudence, to whom was re-
ferred

H. B. No. 40, A bill to be entitled
"An Act to amend Article 3872 Ti-
tle 60, of the Revised Civil Statutes
of 1925, and declaring an emer-
gency."

Have had the same under consider-
ation, and I am instructed to report
the same back to the Senate with the
recommendation that it do pass and
be not printed, as S. B. No. 118 on
the same subject has been printed.

BAILEY, Chairman.

Committee Room,
Austin, Texas, February 8, 1927.
Hon. Barry Miller, President of the
Senate.

Sir: We, your Committee on
Public Health, to whom was referred

S. B. No. 162, A bill to be entitled
"An Act providing that no law in
this State shall prevent any person
from vaccinating inoculating or treat-
ing his own hogs with hog cholera
virus or serum or other remedy; re-
pealing any law in conflict with this
Act; and declaring an emergency."

Have had the same under consider-
ation, and I am instructed to report
the same back to the Senate with the
recommendation that it do pass.

BERKELEY, Chairman.

Committee Room,
Austin, Texas, February 8, 1927.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Insurance, to whom was referred S. B. No. 242.

Beg leave to report that we have had the bill under consideration, and I am instructed to report same back with recommendations that it do not pass, but that committee substitute bill do pass.

MOORE, Chairman.

Committee Room,
Austin, Texas, February 7, 1927.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Internal Improvements, to whom was referred

S. B. No. 276, A bill to be entitled "An Act authorizing cities which now have, or may hereafter have 5,000 or more inhabitants, in case of condemnation of land for laying out, establishing or enlarging parks, parkways or pleasure grounds to provide that the cost of such land should be paid for, wholly or in part by the property owners owning property in the vicinity thereof and benefited thereby, and to fix liens against said property so benefited to the extent same is specially benefited, and providing how said benefits may be assessed and collected, and providing how such assessments may be made to mature."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

LOVE, Chairman.

Committee Room,
Austin, Texas, February 7, 1927.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Internal Improvements, to whom was referred

S. B. No. 270, A bill to be entitled "An Act to amend Chapter 17, Title: Cities, towns and villages—Articles 1213 of the Revised Civil Statutes of Texas of 1925, so that assessments for street widening and street opening may be made payable in not exceeding sixteen annual payments, and declaring an emergency."

Have had the same under consideration, and I am instructed to report

the same back to the Senate with the recommendation that it do pass.

LOVE, Chairman.

Committee Room,
Austin, Texas, February 7, 1927.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Internal Improvements, to whom was referred

S. B. No. 271, A bill to be entitled "An Act to authorize the establishment of building lines on streets in cities which now have, or may hereafter have, five thousand or more inhabitants, and to provide the manner in which damages may be determined, and paid and benefits assessed and collected."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

LOVE, Chairman.

Committee Room,
Austin, Texas, February 8, 1927.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Judicial Districts, to whom was referred

H. B. No. 274, A bill to be entitled "An Act to create the County Criminal Court for Dallas County, Texas, to define the jurisdiction thereof, and to conform to such change the jurisdiction of the County Court, of Dallas County; fixing the salary of the judge of said court, providing for the appointment and election of the said judges of said court hereby created; providing for the appointment of special judge and filling of vacancies in said office, providing for an official shorthand reporter for said court, providing a saving clause, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be not printed.

Price, Chairman; Reid, McFarlane, Triplett, Hardin, Hall.

Committee Room,
Austin, Texas, February 8, 1927.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Judicial Districts, to whom was referred

S. B. No. 230, A bill to be entitled

"An Act creating the County Court at law of McLennan County, defining the jurisdiction of said court; regulating practice therein; prescribing the terms of said court; providing for clerk thereof; providing for transfer of all cases pending in the county court to said court; creating the office of Judge of the County Court at Law of McLennan County; providing for the selections of the judge of said court; prescribing his qualifications, fixing his compensations; and limiting the jurisdiction of the County Court of McLennan County and providing for the annual salary of the County Judge."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do not pass, but that committee substitute do pass, and be not printed.

Price, Chairman; Reid, McFarlane, Triplett, Hardin, Hall.

Committee Room.

Austin, Texas, February 8, 1927.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Judicial Districts, to whom was referred

H. B. No. 268, A bill to be entitled "An Act to create an additional criminal district court for the County of Harris; and to provide for district jurisdiction, and organization of, and procedure in said court; to provide for the transferring and docketing of cases and to provide for the trial and disposition of cases during the absence of either judge; to provide for the appointment and election, qualification, jurisdiction, duties, powers and compensation of a judge thereof; to provide for a seal, and to provide for a sheriff, clerk and attorney thereof, and to provide for the appointment and pay of special deputy clerks, and an assistant district attorney; to fix the time for holding terms thereof, and to provide for jury service and empanelling of grand juries; to limit and conform thereto jurisdiction of the criminal district court of Harris County; to repeal all laws and parts of laws in conflict herewith, and to provide the date upon which this Act shall become effective; providing that if any part of the bill should be held unconstitutional

it shall not affect the remainder of this Act."

Have had the same under consideration and I am instructed to report it back to the Senate with the recommendation that it do pass, and be not printed.

PRICE, Chairman.

Committee Room.

Austin, Texas, February 8, 1927.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Judicial Districts, to whom was referred

H. B. No. 98, A bill to be entitled "An Act amending Article 324 of the Revised Civil Statutes of the State of Texas by providing for the payment of assistant district attorneys in districts in which there is situated a city of 28,000 population, and over, and for the removal of such assistant district attorneys, and declaring an emergency."

Have had the same under consideration and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

PRICE, Chairman.

Committee Room.

Austin, Texas, February 7, 1927.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Internal Improvements, to whom was referred

S. B. No. 275, A bill to be entitled "An Act relative to white and negro communities, in municipalities, to foster a separation of white and negro residence communities in the interest of peace, safety and welfare, fixing a penalty, and declaring an emergency."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do not pass, but that the committee substitute, attached hereto and made a part hereof, do pass.

LOVE, Chairman.

Committee Substitute, S. B. No. 275.
By Senator Love:

S. B. No. 275, A bill to be entitled "An Act providing for the segregation or separation of the white and negro races and providing for the conferring of power and authority

upon cities to pass suitable ordinance controlling the same and providing for fixing the penalty and declaring an emergency."

Be it enacted by the Legislature of the State of Texas.

Section 1. That the power and authority is hereby conferred upon the cities of Texas to provide by suitable ordinance for the segregation of negroes and whites in any such city and to withhold permits to build or construct a house to be occupied by white people in negro communities inhabited by negroes as defined by ordinance and to withhold building permits to any negro to establish a residence on any property located in a white community inhabited by white people as defined by ordinance.

Section 2. That it shall be lawful for negroes and whites to enter into mutual covenants or agreements concerning their respective residence and the power and authority is conferred upon the governing body of any city to pass suitable ordinances requiring the observance of any such agreement.

Section 3. That the governing authorities of any such city shall have the full power to define the negro race, negro community, white race and white community.

Section 4. That the governing authorities of any such city shall have full power to enforce the observance of any ordinance passed leading to or providing for the segregation of the races and to require the observance thereof by appropriate penalties.

Section 5. That this Act shall take effect from and after its passage and shall repeal all acts in conflict herewith.

Section 6. On account of the fact that there does not exist any adequate requirement or law conferring upon the cities of Texas the express power to pass suitable segregation laws between the whites and colored race, and whereas on account of the fact that the peace, quiet, and tranquility of such cities are greatly affected, as well as the public health greatly menaced, creates an emergency and an imperative necessity requiring the suspension of the constitutional rule that bills be read on three several days and it is hereby suspended, and this Act shall take effect and be in force from and after its passage and it is so enacted.

Committee Room,

Austin, Texas, February 7, 1927.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Internal Improvements, to whom was referred

S. B. No. 277, A bill to be entitled "An Act to provide for the approval by municipal authorities before filing, and for filing and recordation of plans, plats or replats of land lying in or within five miles of the corporate limits of cities having a population of fifty thousand persons or over, according to the Federal Census of 1920, and of any subsequent Federal Census, and providing for the adoption and promulgation by cities of general rules and regulations governing plats and subdivisions, and making it unlawful and a misdemeanor in office for officials of such cities, unless said plans, plats or replats have first received the required approval, to serve or connect the land covered by such plans, plats or replats, or for the use of owners or purchasers of said lands, or any part thereof, with any public utilities, such as light, gas, water, sewer, etc. which may be owned by such cities, and making it unlawful and a misdemeanor in office for any county clerk to file or record such plans, plats or replats before same have received the approval required by this Act, and providing a penalty therefor; and providing for the acceptance of the provisions of this Act by cities having less than fifty thousand inhabitants, and providing for the repeal of laws and parts of laws in conflict therewith; and declaring an emergency."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass with the attached committee amendments.

LOVE, Chairman.

Committee Amendments, S. B. 277.

By Senator Stuart:

Amend the caption of S. B. No. 277 by striking out the words or figures "fifty thousand" (50,000) wherever they appear therein and substitute therefor the words or figures "twenty five thousand" (25,000).

Amend the body of S. B. No. 277 by striking out the words or figures "fifty thousand" (50,000) wherever

they appear therein and substitute therefore the words or figures "twenty-five thousand" (25,000).

Committee Room,
Austin, Texas, February 8, 1927.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Internal Improvements, to whom was referred

S. B. No. 296, A bill to be entitled "An Act requiring the school authorities in cities having a population of five thousand inhabitants and over to provide sufficient and adequate protection against fire or panic in school buildings under the management and control of such school authorities; defining the term "adequate and sufficient fire protection;" providing for the making of sworn reports by the chief of the fire department or fire marshal or other officer or officers exercising like or similar powers and providing for the duty of the mayor or board of commissioners or other governing authorities and city attorney, in relation thereto, and declaring an emergency."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass with the attached committee amendment.

LOVE, Chairman.

Committee Amendment, S. B. 296.

By Senator Love:

Amend S. B. No. 296 by striking out in the caption of the words "five thousand inhabitants" and inserting in lieu thereof the words "ten thousand inhabitants."

Also by striking out in Section 1 the words "five thousand inhabitants" and inserting in lieu thereof the words "ten thousand inhabitants."

NINETEENTH DAY.

Senate Chamber,
Austin, Texas.

Wednesday, February 9, 1927.

The Senate met at 10 o'clock a. m. pursuant to adjournment, and was called to order by Lieutenant Governor Barry Miller.

The roll was called, a quorum being present, the following Senators answering to their names:

Bailey.	Parr.
Berkeley.	Pollard.
Bledsoe.	Price.
Bowers.	Real.
Fairchild.	Reid.
Floyd.	Russek.
Greer.	Smith.
Hall.	Stuart.
Hardin.	Triplett.
Holbrook.	Ward.
Love.	Westbrook.
McFarlane.	Witt.
Moore.	Wood.
Neal.	Woodward.

Absent.

Lewis.	Wirtz.
Miller.	

Prayer by the Chaplain.

Pending the reading of the Journal of yesterday, the same was dispensed with on motion of Senator Woodward.

Petitions and Memorials.

(See Appendix.)

Committee Reports.

(See Appendix.)

Bills and Resolutions.

By Senator Berkeley:

S. B. No. 313, A bill to be entitled "An Act to amend Section 19, of Article 8306, of the Revised Civil Statutes, 1925, relating to compensation for employees hired in Texas but injured outside of Texas, so as to provide that said Section shall be amended to read as set forth in this Act, and providing that if any section of this Act be held to be invalid, unconstitutional or inoperative that no other section or part thereof shall be effected thereby, and to declare an emergency."

Read first time and referred to Committee on Civil Jurisprudence.

By Senator Bailey:

S. B. No. 314, A bill to be entitled "An Act repealing Chapter 6, Title 39, of the Revised Statutes, 1925, and substituting therefor this Act requiring the Courts of Civil Appeals to make and file separate conclusions of fact and law in all cases decided by them and affording to any party to a suit decided by any such court, in case of refusal by such court to comply with the provisions of said Act, the right to have a writ of man-